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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Marc Elsayed and Bruce Williams

Confirmation No.: 5433

Application No.: 10/762,897

Group Art Unit: 3736

Filing Date: January 22, 2004

Examiner: Michael C. Astorino

For: Methods For Delivering A Drug To A Patient While Preventing The Exposure

Of A Foetus Or Other Contraindicated Individual To The Drug

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

The owner, Celegene Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,561,976. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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